

ORDINANCE NO. _____

AN ORDINANCE ORDERING AN ELECTION TO BE HELD IN THE CITY OF AUSTIN ON MAY 10, 2008 TO ELECT THREE COUNCIL MEMBERS AND TO SUBMIT A PROPOSED CHARTER AMENDMENT TO THE VOTERS; PROVIDING FOR THE CONDUCT OF THE ELECTION; AND PROVIDING FOR EMERGENCY PASSAGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. An election shall be held in the City of Austin on May 10, 2008. At the election there shall be elected by the qualified voters of the City a City Council Member to Place 1, a City Council Member to Place 3, and a City Council Member to Place 4.

PART 2. A charter amendment election also shall be held in the City on May 10, 2008, at which the ballot shall permit voting “yes” or “no” on the following proposition:

Proposition 1

Shall the City Charter be amended to provide that city council appoint a city auditor for a five-year term, during which term the city auditor may only be removed by a vote of three-fourths of the city council, and at the conclusion of the term, by a majority of the city council?

PART 3. The election shall be conducted between the hours of 7:00 a.m. and 7:00 p.m. The precincts and locations of the election day polling places; the dates, hours, and locations of the early voting places; and the names of the officers appointed to conduct the election are provided in Exhibits A – E attached and incorporated as a part of this ordinance.

PART 4. A direct electronic recording voting system, as the term is defined in Title 8 of the Texas Election Code, shall be used for early voting and for voting conducted on election day. The central counting station is established at the Travis County Elections Division, 5501 Airport Boulevard, Austin, Texas.

PART 5. Notice of this election shall be given by posting and publishing a copy of this ordinance in both Spanish and English. The posted notice shall be posted at the City Hall notice kiosk not later than the 21st day before election day. At the top of the notice shall appear the words “A MUNICIPAL ELECTION, MAY 10, 2008.” The ordinance shall also be published in a newspaper of general circulation in the City of Austin not earlier than the 30th day and not later than the 10th day before election day.

PART 6. In accordance with Chapter 271 of the Texas Election Code, the May 10, 2008, municipal election may be held jointly with the various political subdivisions that share territory with the City of Austin and that are holding elections on that day. The City Clerk may enter and sign joint election agreements with other political subdivisions for this purpose.

PART 7. If Proposition 1 is approved by the majority of the voters voting at the election, Section 17 of Article VII (*Finance*) of the City Charter is amended to read:

§ 17 CITY AUDITOR

There shall be a city auditor who shall be appointed by the city council. The city auditor may be removed at the conclusion of a five-year term of office [~~only~~] by a majority of the city council, or during the five-year term by a vote of three-fourths of the city council. The auditor shall report to the city council through an audit committee of the council. The auditor shall have such duties, responsibilities and staff as determined by ordinance including the responsibility to conduct, or cause to be conducted, financial, performance, investigative, and other audits following government auditing standards as promulgated by the Comptroller General of the United States. The city auditor shall assist the city council in establishing accountability and in improving city system and service delivery.

PART 8. The Council finds that the need to immediately begin required preparations for this election constitutes an emergency. Because of this emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health, and safety.

PASSED AND APPROVED

_____, 2008

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk